earlier, before we signed the agreement on the WTO—whenever a matter of vital interest to the country comes up before the WTO, we will like to have the benefit of advice of the hon. Members of both the Houses.

Thank you.

THE ELECTRICITY LAWS (AMENDMENT) BILL, 1998

THE MINISTER OF POWER (SHRI R. KUMARAMANGALAM): Sir, I beg to move:

"That the Bill further to amend the Indian Electricity Act, 1910 and the Electricity (Supply) Act, 1948, as passed by the Lok Sabha be taken into consideration."

I rise to move the Electricity Laws (Amendment) Bill, 1998. An earlier Bill which was introduced in the Lok Sabha on the 13th March, 1997 was referred to the Standing Committee on Energy on the 20th March, 1997. The Standing Committee on Energy was constituted under the Chairmanship of Shri Jagmohan, Member Lok Sabha. The standing Committee on Energy held detailed consultations with experts in the power sector and submitted its report to the Speaker Lok Sabha on the 3rd December, 1997. The Standing Committee had made several important recommendations and suggested modifications to the Bill. The major recommendations were:

(i) Overall planning of the transmission system should be under the scope of the CEA, the POWERGRID and the SEB's.

(ii) There should be only one main transmission agency in each State and at Regional/National level. For the transmission system within a State it should be the respective SEB, or its successor organisation. At the regional/ national level it should be the POWERGRID.

(iii) The main transmission agencies indicated at (ii) should continue under Government ownership.

(iv) The main transmission agencies should decide which part of the required transmission augmentation within their responsibility should be entrusted to the private sector.

The private transmission company should be required to enter into a transmission service agreement with the concerned SEB/ POWERGRID for making available its transmission assets to the latter. The private company should not be concerned with wheeling and third party access issues.

The transmission company should operate and maintain its assets in accordance with the directions of the Regional load dispatch centre/state load dispatch centre. The RLDC/ SLDC should be under POWERGRID/SEB (its successor organisation).

The private transmission company should be given a license on the basis of a recommendation of the concerned main transmission agency.

The Government has accepted all recommendations of the Standing Committee of Energy and these have now been incorporated in the Electricity Laws (Amendment) Bill, 1998.

The bill will provide a legal framework for recognising transmission as a district activity and for regulating transmission through licensing and for fixation of transmission tariff. This is necessary since transmission entities have been established at the national/ state level (POWERGRID, GRIDCO) and some states are proposing to create separate transmission entities. Under the existing Electricity Laws, transmission can be taken up only in conjunction with generation or distribution and not as an independent activity.

Before dealing with the salient features of the Bill, I will briefly review the development of the transmission sector. With the enactment of the Electricity (Supply) Act, 1948 the state Electricity Boards became the nodal organisations for expansion of the transmission and the distribution network. In the mid 60s, the Regional Electricity Boards were established and the process of linking the power system of the individual states within the region was initiated. From the mid 70s onwards the Govt. of India started establishing central generating stations

ıermal & hydel) in the regions alongwith eir associated transmission system. The ɔntral sector transmission system was signed to deliver power to the states based ı their share of power from the Central ıeration stations. In 1989, the)WERGRID Corpn. of India Ltd. was set to move blocks of power from the Central nerating agencies and also transfer surplus t'in and across regions.

An extensive network of tranmission stem with over 1,10,000 circuit kilometer ɔxtra high voltage lines at 220 KV and gner voltage including HVDC are in eration today. Apart from these, 1,30,000 cuit kilometer of sub-transmission lines of KV and 110KV/132KV have also been ablished.

A critical problem in the power sector is ɔ inadequacy of the transmission and tribution networlk. The two major areas of akness are; (i) lack of proper integration transmission and distribution system with ɔ generation plant as a result of which ıeration capacity cannot be fully utilised] (ii) inadequate investment in transmission] distribution as compared to generation.

In fact, Sir, the figures are such that in the ɜt Plan period, if one looks at the ratio ween investment in generation and in ısmission and distribution, the difference s that where transmission was one, ıeration was 1.33. Today, where the ıeration is one, the transmission is 0.46, ɔwing that the investment in the ısmission and distribution sector has slid ısiderably causing a tremendous imbalance. fact, the Rajyadhyakasha Committee had ommended that the thumb rule should be at least. But, today we are 1:0.46. It is ɔessary to correct this imbalance by ɔvidng a framework under which private estment can supplement the efforts of vergrid and SEBs.

An important area of concern relates to the nner in which inter-grid operation of the ional or State grid would be ensured, when ɔnses are sought to be granted to private nsmission licensees for putting up ısmission projects under Build, Own and Maintain basis. The responsibility of transmission licences will be to construct and maintain transmission lines, associated with sub-stations in good working conditions so that the line is available for transmission of power. The transmission licensee will not be concerned with the quantum of energy that would be transmitted in the line. The Powergrid, the SEB under an agreement with the transmission licensee will have the exclusive use of the transmission system. The decision with regard to power flows would be taken by the Regional Load Despatch Centre or in the case of State, the State Load Despatch Centre at the State level. The Regional Load Despatch Centres, presently under the control of Powergrid shall issue directions which will be binding on the State Electricity Boards, generating companies, power distribution licensees, transmission licensees to ensure integrated grid operation. Similarly, the directions of the State Load Despatch Centre, presently under SEBs, will be binding on all licensees, transmission licensees and generating companies so that there is smooth, efficient and capable of evacuating power from any part of the country to any other part.

Actually, the situation is that we have 2,000 MW of surplus power in the eastern region today. Due to lack of proper transmission facilities, we have to back up our generation system, causing tremendous loss to the economy, increasing the tariff, generating the tariff. If you can's use the capacity, your tariff goes up. That being so, it is a prime example. What was the need for this Bill? It is only a case of privatisation. It is a case of facilitating private investment. I think that has to be understood in that form. We are not breaking up the Grid into parts of pieces which is often compaigned. We are getting the Grid in the form in which it was conceived. There will be a national grid. There will be a national utility. But parts of the transmission lines can be built, operated and maintained and made available for the Grid. How much power will flow? As explained earlier, it will be determined by the Load Despatch Centres so that there is an evenness and a control. This will be done through computerised system to ensure quick-decision making.

It is in the light of this background of ensuring that there is a modern transmission system in this country, Sir, I commend the Electricity Law (Amendment) Bill, 1998 to the House and request the House to accept my amendments.

***The question** was proposed.*

SHRI BRAHMAKUMAR BHATT (Gujarat): Mr. Vice-Chairman, Sir, the Electricity Law (Amendment) Bill, 1998 has come. This Bill seeks to give transmission job to private agencies and to private companies. Normally, this system contains both transmission and distribution. Transmission and distribution are almost inseparable. What I feel is that there will be a sort of confusion when this dual system is to be operated by the Load Despatch Centre. It is a matter of fact that four or five years back the Powergrid Corporation has tried, has made an attempt to take over the State Load Despatch Centre as well as the Regional Load Despatch Centres.

[THE VICE-CHAIRMAN (SHRI MD. SALIM) in the Chair.]

But there was a resistance to it from the regional Electricity Boards, Regional Desptach Centres and Load Despatch Centres because every single line of distribution is totally and completely controlled by the State Load Despatch Centre. It is a well known fact that there is a shortage of power in this country. There is a shortage of power in different States, to different extents. If the rains come late, there will be problems. If there is enough rain, the demand will go down. But if there is some rain here and no rain there after, then again, the demand will go up. At that time, the Load Despatch Centre of a State has to take a decision where to give more power and where to curtail power or where it is necessary to have power cut also. So, the total network is totally controlled by the Load Desptach Centre. The Load Despatch Centre is not only controlling the transmission and distribution but also controlling all transmission lines with the power stations. The Load Despatch Centre is in the know whether a particular unit of a particular power station is properly functioning or not functioning; whether there is trouble in some unit or not. Only the Load Desptach Ce will inform the Chief Engineer of a partic power plant to take care of a particular u Therefore, the Load Despatch Centre is a important thing. Here, the Government come with the view of bifurcating distribu and transmission which, I believe, is goin cause a number of problems in diffe States, particularly where there is a between the demand and the supply of po

Sir, the Power Grid Corporation has and large, done good work. Recently, t were a cyclone and floods in Gujarat. assistance of the Power Grid Corporatio taken. It did very good work. There is no d about it. I would also say that as far understand, there are about 65 scheme hand with the Power Grid Corporation. of that 65, 30-33 are ongoing. The Minister has just suggested that ther surplus power in the eastern States and or other side, there is a deficit. Why can't allow this work to the Power C Corporation? The Power Grid Corporatior shown results. There is a situation that t is an excess of power and there is possibility of evacuation of power from State to another. Let the Power C Corporation carry out the job. Why are not doing that? In view of the Bill which hob. Minister has brought, I would lik know from the hon. Minister this. Wh going to be the role of the Power C Corporation of India? What job is the Pc Grid Corporation to be entrusted with what are the private companies likely t entrusted with? That is the first point t clarified by the hon. Minister.

The second point I would like to subn that in this country, the question of the of power is very important because there some States where the power is compl free. There was a resolution in the Pc Ministers' Conference that at least 50 p per unit should be taken. That was as ear in 1993. But no State is taking 50 paise unit for power from farmers. The maxi that is taken is 20-21 paise from farn Above that nobody is taking. Recentl Pubjab and Tamil Nadu, a heavy rise i tariff of power has been announced. It

tune of Rs. 600 crores for each of the es. In this view, at what cost is going to ie wheeling of power, the transmission of er? That is also very important. Once, n Mr. Narayanan was the Chairman of the er Grid Corporation, I had an opportunity lk with him. At that time, I was surprised iow from him that he was suggesting to mit power at a cost of 20 paise per unit. ecent meeting, some time when Mr. al was the Prime Minister, I asked what ikely cost of transmission ans wheeling wer by the Power Grid Corporation was. fficers of the Power Grid Corporation nt in the meeting had informed me that illing charges would be four paisa to five per unit by the Power Grid Corporation, h I believe, is very much reasonable. The tion is, if the Power Grid Corporation is ared to have the wheeling charges of four to five paisa per unit, how much latitude iow much charges are going to be allowed ie private transmission companies in rent States in this country? I would like ion. Minister to clarify that thing. I am ng this question particularly because then uestion of generation of electricity by the ite companies came, they were given a f advantages, based on the plant load r. If they go above 68.5 per cent plant factor, they are given additional charges. ey are on gas or if they are on naphtha, easily they can go to 90 per cent to 95 nt. That is not difficult. If they go to 90 ent to 95 per cent, they will get a return per cent to 30 per cent. Therefore, I am g that a lot of advantages are being given e private companies in the generation of ricity. Though the private companies have ome forth on a very large scale. I know But whatever companies have come , these advantages were given to them. on, the Government had revised their sion that the Electricity Boards can ss on the basis of the per unit cost also how much a private electricity generating pany will take per unit. The Electricity d may or may not like it. The question to be decided on the basis of the per unit Here also, what is to be decided is that we are going to subsidise the electricity e farmers, which in some States comes to 40 per cent, when a heavy subsidy is to be given to the farmers, the question is, we have to keep the charges as low as possible. I am not opposed to subsidy. In view of that, what is going to be the basis and what is going to be the regulatory authority to decide the charges to be taken by the private transmission companies? This is very important thing which has not been charified in this Bill. The Bill should have clarified this thing as to what the regulatory authority will be. What will be the basis on which a private transmission company will be decided to have charges for transmission of electricity from one place to another? That is one thing. Secondly, if the State Electricity Board has failed to show reasons, if the Electricity Board of a State has no money, if they have no resources and if they want transmission lines to be erected, then my suggestion to the hon. Minister will be, give first choice to the Power Grid Corporation of India and not to the private companies. The second thing which I would like to suggest to the hon. Minister is, let there be an integrated discussion on the power scenario in this country. I will confine myself only to the transmission aspect, not to the general discussion on electricity. Therefore, I would like to know as to what the plan of the Power Ministry for addition of power during the Ninth Plan period is. How much power will be required during the Ninth Plan? What is the estimate of the Central Electricity Authority? What is the estimate of the Planning Commission because there is a wing in the Planning Commission which deals with electricity? What is their estimate about the necessity of power which should be available during the Ninth Plan? Let there be a free discussion in the House because electricity is such an important thing that everybody is craving for more and more power. Therefore, that discussion also is very much necessary because the per capita availability of power differs from State to State and there is a wide range of difference between one State and another State. Therefore, a full-fledged discussion on the availability of power, the requirement of power during the Ninth Plan period is very essential.

The concessions which are given to the power generating companies should not be

given to the transmission companies, whichever the companies are. Who is going to be the regulatory authority to fix the wheeling charges by the companies within the State and outside the State? There should be a definite guideline which should be set by the Central Government. It should not be left to the States; that is my submission. I am saying so because I know that in States when the powers are given to the State Electricity Boards—it is known to everybody—the State Electricity Boards are not allowed to function commercially, they are not allowed to function independently. They are under the thumb of the State Government, and the State Government has, against the wishes of the State Electricity Boards, against the noting on file, entered into an agreement with power generating companies giving them very high charges. That issue has come before the House. As a matter of fact—I do not refer to any particur compnay—I know about Enron and ESSAR in Gujarat; I have got the figures; I can quote them. My submission is that the wheeling-charges should be fixed and there should be a regulatory authority not at the State level but at the Central level like the Central electricity Authority or any other authority which the hon. Power Minister may consider fit.

So far as other provisions are concerned, I will refer to the role of the Regional Load Despatch Centre. The Regional Load Despatch Centre is a very vital organisation. If there is a violation by an Electricity Board, and if that Board withdraws more power—the power of NTPC is given to all the States; there is a share fixed for every State, what quantum of power will be taken by 'X' State and what quantum of power will be taken by 'Y' State—the Regional Load Despatch Centre should given the teeth to impose penalty on that Board. Even though there is scarcity of electricity, some Boards are drawing more power and, therefore, the frequency goes down. The hon. Power Minister knows that if the frequency goes down to 48, any time the entire system can trip. If the entire system trips, the power will also trip, and they will shut down. Therefore, the Regional Load Despatch Centre which is the controlling authority must have teeth, biting, teeth, to impose penalty on a State which is overdrawing the power, whicl is drawing more than its own share of powei Penalty should be imposed on that State. Th Regional Load Despatch Centre must have th authority to actually levy the penalty on th State Electricity Boards. State Electricit Boards sometimes do not obey the instruction of the Regional Load Despatch Centre. Ther are instances when the electricity lines hav tripped. That should not happen. So, th Regional Load Despatch Centre should b given teeth to bite and give punishment. The should have the authority to punish a Sta Electricity Board which overdraws the pow whatever be the share of that Electricy Board

One more thing I will suggest to the hon Power Minister on the question of Back-down There is frequent Back down, when th demand power will go down. Therefore, th power stations will have to back down. Thei the question of transmission will also aris because they may not have to transmit in th event of demand going down. In that event whoever is connected with the Load Despatcl Centre, whether it is a power station or a Stat Electricity Board or even a private powe generating company,—I am asserting and I an insisting, Mr. Minister,—they must be force by the Load Despatch Centre to back dow on their generation of power. It should not b at the cost of the State Electricity Boards an the Plants only that the private powe generating companies will go on dumpin power on the LDC, and the Electricity Board will have to back down on their power mor and more. That should not be the case. Th Load Despatch Centres should be given mor power to see that if there is a backing down and if the demand goes down, even the priva power generating companies should be force to back down on their generation of power.

The availability of PLF is a very importan thing. In view of that thing, there should be general rule that system should be under th Regional Load despatch Centre.

I will make one more suggestion an conclude. In the statement of objects an reasons the hon. Minister has stated, "it is als proposed to make some consequential change in the aforesaid Acts to bring wihtin thei

scope the transmission of electricity as an activity independent of generation and distribution". I am very much surprised. How can the transmission be separated from generation and distribution? If there is generation, there is transmission. If there is no generation, what is going to be transmitted? Therefore, generation, transmission and distribution are absolutely correllated with each other. If some provisions are to be made later, why is there this Bill? He can bring this Bill later incorporating all these provisions which he wants to incorporate. What he is going to bring in furture, nobody knows. I believe instead of bringing a piecemeal Bill, a proper Bill, a comprehensive Bill, should have been brought at the appropriate time. Before I conclude I will suggest, at the cost of repetition, that at the cost of Power Grid Corporation and at the cost of State Electricity Boards' own transmission lines—they have spent crores of rupees on that—private transmission companies should not be given any priority or any preference. Secondly, they should not transmit power to any other company or to any other plant or to any other industry directly without the control of the LDC. That provision should also be incorporated. This should be kept in mind. These are my submissions. Thank you.

SHRI DIPANKAR MUKHERJEE (West Bengal): Sir, as I stand to oppose this Bill, I am happy to note that before this debate started the hon. Minister of Power is aware of the dissenting note which we had given in the Standing Committee when this Bill was referred to it. I had been a Member of the Standing Committee for four years. There was only one such occasion. That was not very pleasant. We didn't like it. In spite of all our efforts we could not come to a consensus and that is the only report of the Standing Committee where a dissenting note had to be given by us, by those belonging to the Left. When a note of dissent comes from the Left a point comes that, probably, it must have something to do with the privatisation. The hon. Minister, as I have already mentioned, must have gone through the note of dissent. He might have found from paras 2,3 and 5 of the note of dissent that ownership was not the point on which we had opposed the Bill fundmentally. It is not something between the private sector and the public sector. This whole concept, the electricity business as a whole, as it is, means that generation, transmission and distribution is an integrated thing. Now a new concept is coming. We would say, "It is imposed". The Minister would say, "No, it is not imposed; it is our thought". Some ideas are coming. This is not something which is an absolutely old thing, which is going on in the developed countries and India is trying to follow it. This is a very recent idea to disintegrate this, I bellieve, for commercial reasons—generation is separate, transmission is separate and distribution is separate. When we opposed it at the initial stage, in our note of dissent, the first opposition was basically on technical reasons. Right now there are two schools of thought on this issue in this world, whether there should disintegration of this electricity business as a whole into three components, that is, generation, transmission and distibution. This is a debate which is going on. Leaving aside the ownership issue to which I will come later, we don't feel it necessary at all for a country like ours facing such a big power crisis to jump into such an experimentation like this where the developed countries are having a second thought. I don't want to quote from the note of dissent which the Minister is having. The Standing Committee Report is also there. The Members must have seen the Report.

Forget about India. I would like to quote the experience of France and UK. Today the Electricity Act and the Electricity (Supply) Act which are being amended take care of the private ownership as well as the public sector ownership. Till now there are supply companies like the Calcutta Electricity Supply Company and Ahmedabed Electricity Supply Company where there is a private ownerhip but with generation and transmission together and transmission and distribution together. The ownership whether it is public or private is like this: generation, transmission and distribution all the three together. Someone can run it, whether private or public—generation and transmission together or transmission and distribution together, not as separate one. France has refused this concept

of disintegrating the whole system-generation, distribution and transmission which is World Bank's concept. They don't like it. What they say is this. France has refused the concept of unbundling and has raised serious objections to the World Bank's concept. I would like to quote the objections of Electricity de France (EdF). First of all, their objection is "loss of efficiency due to disintegration (loss of optimisation)." It is very much there because ours is a power deficit nation. There is not excess of power it is not that there will be certain transmission agencies 'X', 'Y' and 'Z' giving power and I can chose the cheapest power. It is not that transmission licences are there and I can chose anyone. I mean, an open market business is not there. We are power deficit. We don't have a choice. Our generation of power is limited. (*Interruption*). Let me finish. There is a loss of efficiency due to disintegration (loss of optimisation) which can be substantial. We have already seen some transmission lines which have been designed and erected. They are meant for some big loads, say, 1000 megawatts. Now the whole power tariff will be based on 1000 megawatts. In case I pass 400 megawatts through that, if there is a separate transmission agency for commerical purpose, he will charge based on the avilability of 1000 megawatts and the cost which he has invested in that. This is what they have also pointed out. The second objection is, "Emergence of private firms in the disintegrated power sector will necessitate a set of 'complete contracts' amongst themselves and at all levels." The third objection is, "For achieving the basic objective of efficiency in the power sector there is no need to forgo the natural advantage of integrated power sector." That is the main reason. The fourth objection is, "EdF also feels that the notion 'Public Service' has not been given sufficient attention". The fifth objection is, "EdF feels that there should be priorities and a sequence in restructuring. The first thing is to improve the regulation of monopolies. If that fails then to introduce competition, while taking care that competition does not reduce efficiency", This is what is going to be done here. It will reduce the efficiency. There will be three agencies—distribution, transmission and generation. The total efficiency together will be less. But the tariff will be high. The overhead cost will be high. Every agency will have its own overhead cost. A transmission company, a generation company and a distribution company will have their own overhead cost. Then ultimately, what will be the pattern of tariff at the receiving end? If I am not mistaken, when I asked about these figures, the Power Ministry could not give specific figures. Okay, today they are going to be integrated. If I divide them, what will be the impact on tariff? It was told that there will be an increase in tariff. But nobody could say specifically as to what would be the increase in tariff if transmission is taken as an independent activity. What has been done in UK? They did unbundling very recently. In October, 1996 the Institution of Electrical Engineers, UK had given a memorandum to the House of Commons Trade and Industry Inquiry Committee where they had dealt with the division of generation, transmission and distribution. This is the Institution of Electrical Engineers, not a CPI organisation. They have specifically found out that there has to be—there the disintegration has been done-a cost benefit analysis. In our country we have had this experience in Orissa. I do not understand the urgency of it. In Orissa all the Work Bank reforms have been tried. You have a separate generation centre. You have a separate transmission centre. You have handed over six distribution centres to private companies.

Why should not we see what is the impact? Why cannot there be a detailed study of plus and minus points of what we faced in Orissa? What is the impact of it vis-a-vis tariff? What is the impact of it vis-a-vis losses? What is the impact of it vis-a-vis services? Why don't we learn from that experience and then go ahead? What is the hurry? Of course, by the word 'hurry', I am not meaning you. I don't want to score any political points. I am just asking, why this whole country should be in a hurry. Why should he not look into previous experiences if he has to increase the efficiency? On the transmission part, of course, we have already agreed, there has been a national consensus that there should be a National Grid. There is no disagreement on

that point. There is a consensus in the country regarding role of the power Grid Corporation. There is no problem about it. There is a consensus that there has to be shifting of load. Why is there the stress on restructuring part? There are other issues today where there can be a consensus. If your problem is peak shortage, the way by which you are trying to enter absolutely a new area where developed countries are having a second thought. Should we, a capital starved country, a power deficit country, go into this experimentation? I call it 'experimentation'. The first and foremost thing should be that we have to learn and unlearn from experience in Orissa.

This should be brought before the country. That will be the exact example of what we are doing. Regarding transmssion, we are strongly opposed to recognise transmission as an independent activity. This is the first part. The second part is that your problem lies mostly in distribution. In1991, when amendments were made, it was told specifically that there was problem in generation alone. Have some generation plants immediately; have fast-trac projects, this and that. I remember that this was mentioned in the Report which we submitted. Time and again we asked the Power Ministry:—by 'we' I mean the 'Committee' and not the CPI (M)—"when you are having so many private power plants, are you having enough transmission lines?" You can go through our Report of 1994. We asked whether they were having evacuation capability. Now the main problem is transmission because I cannot evacuate. When I ask them whether their distribution is all right, whether there is any problem with power generation, they say, 'no probiem'. The only problem is transmissiòn and in getting transmission licences. As Mr. Bhatt said, I am afraid that we are going on a piecemeal approach. It is not an integrated approach. Even if the World Bank says for disintegration of the power sector, let us have an integrated approach towards this. If our distribution system does not develop, if you transmit this power, where will it go? Certain things are required and you are aware of them. We have done certain things in West Bengal. I was in the Committee. Rural electrification has to be separated. The load centre has to be improved.

Our main problem is L.T. distribution lines. They will go for extra high tension (EHT) power here and there. For that, our Power Grid Corporation is there. Why are we not getting any takers for L.T. distribution system. No one is coming for rural power supply. SEBs are very releuctant to take up rural electrification. This has to be strengthened. How is it to be strengthened? Our problem is peak load shortage. For this, we have to go in for certain amendments like the way the Soviet Union did in 1930s. They went in for shifting of peak loads; they went in or advancement of clock. The whole peak load was shifted. Now, our main shortage is peak shortage. You shift the peak by advanceing the clock by half-an-hour throughout the country. You shift the agricultural load to the night. These things do not require disintegration and all this kind of business that you have talked about but it requires qualitative participation of all concern. Let us start with shifting of agricultural loads and advancement of clock. This type of things are meant for advanced countries. These are meant for power surplus countries. You said in the Lok Sabha that they had nothing to do with privatisation, that it would not be privatised. If it is not privatised, what for are we doing it?

How does it matter if everything is under public sector and you give enough money? Why do you have to divide it? No one has stopped the job of the Power Grid Corporation so far, whether it is a transmissioin agency or it is as per the law. I know that reasons are shown that as per law there is no transmission agency; it is working as an extension of generation. No one has stopped that job. Let that job, go ahead. Let the powergrid job and the national grid job go ahead.

SHRI R. KUMARAMANGALAM: By violating the law? Are you recommending that?

SHRI DIPANKAR MUKHERJEE: No, what have we been doing? We have been violating the law. If by violating the law, I can have a national grid, we will do it. We are not lawyers here. We are here to see for what purpose Power Grid Corporation was formed. Should we believe that some one has gone against the law, why Power Grid Corporation

is working, and that is why this Bill has come? We are all matured people here. We know what is what. We know under what pressure this Bill is being brought forward. We opposed it even when the United Front Government brought it. We opposed it because we knew where the interest was, where the transmission licensee was required. We know it was in Karnataka. We know it was Cogentrics. Still we did it. Okay, let us forget it. It is not some one else's interest.

So, Sir, whatever the note of dissent, it is there. We have given all the points with whatever strength that is there at our command. Our voice may be in wilderness. But as watch-dogs we felt our duty when we gave the note of dissent. Today also we feel that this Bill is not necessary, this Bill should be opposed not only for the ownerhsip purpose, but for the very purpose for which it is meant. It means disintegration of the power sector as a totality. It is not necessary.

SHRI SANATAN BISI (Orissa): Sir, there is great doubt in my mind about the definitions. So far as the Indian Electric Act of 1910 is concerned, as per section 2, clause (g), 'energy' means 'electrical energy'. In clause 1, 'geneated', 'transmitted', 'supplied', 'for any other purpose' and in clause (b) 'used for any purpose', 'except the transmission of a message' are mentioned. My submission is: what has made the Government amend all these things? It is in just one sentence, "Energy means electrical energy, generated, transmitted or supplied, for any purpose". So far as the present amendment is concerned, there are several things regarding transmission. In the amended section 2 (g) (b), we have inter-State transmission system. In section 2, sub-clause (m) & (n), we have transmission licence. Transmission licence means a licence granted under part 2(a) to transmit energy and in section 2, sub-section (m) (b), transmission means transmission by a person who holds a transmission licence. Furthermore, in the same section (m) (c) transmission means conveyance of energy by means of transmission lines and expression of transmission shall be construed accordingly.

So, my submission to the hon. Minister is, what the use is of redefining 'transmission', when it is already very much clear in clause (g). In clause (g) everything is there. If that is the case, then you again define 'generation', you again define 'supplier', you again define 'for any purpose'. This is my first submission.

Regarding licence, Sir, in the originall Bill it has been very clearly defined-in para 2 of the Indian Electricity Act. What was the necessity and use of redefining 'transmission licence'? The whole thing is very confusing, Sir, so far as the definitions are concerned.

The other thing is regarding Orissa, about which my friend has mentioned so many things. There was a hue and cry in the Orissa Assembly just two days back. The Opposition said that charges were abnormally high. It was there just two days back. It was in the newspapers. The Minister himself has stated that they are suffering a lot because of these charges. He also said that the industry is suffering a lot. My learned friend has very rightly given the example of Orissa. The other thing I would say is this. So far as the objective is concerned, the Minister stated, "Recognising transmission as a distinct activity, regulating transmission through licensing, fixing transmission tariff." So, the Minister should very clearly explain to us what was the difference between the earlier definition and the present definition.

Sir, the other thing I would say in one or two sentences. I would like to know from the hon. Minister about the steps that are being taken to improve the State agro-capacity. I would also like to know about the implications of the fast track power projects which are likely to be delayed due to sanctions imposed by USA. So, these are the points on which I seek clarifications from the hon. Minister. Sir, thank you very much for giving me an opportunity to speak on this Bill.

श्री ईश दत्त यादव (उत्तर प्रदेश) : उपसभाध्यक्ष जी, 1910 के इंडियन इलेक्ट्रिसिटी ऐक्ट और 48 के इलेक्ट्रिसिटी सप्लाई ऐक्ट में संशोधन के लिए सरकार की ओर से, ऊर्जा मंत्री की ओर से विधेयक प्रस्तुत किया गया है। जो प्रावधान इस संशोधन में किए जा रहे हैं, मैं उन प्रावधानों से संतुष्ट हूं लेकिन मेरी राय में यह अधूरा काम हो रहा है।

आज बिजली, आदमी के जीवन के लिए, देश के विकास के लिए, विज्ञान के लिए, तकनीकी के लिए, उद्योग के लिए, खेती के लिए, सब के लिए बिजली अति आवश्यक हो गई है। सरकार को इस पर गंभीरता से विचार करना चाहिए कि देश का विकास तब तक नहीं हो सकता है जब तक कि देश में बिजली की पर्याप्त आपूर्ति, खेती के लिए, उद्योग के लिए, विज्ञान के लिए, बाढ़ नियंत्रण के लिए तथा तमाम उन समस्याओं के लिए, जिनसे हमें जूझना पड़ता है, इनके लिए जब तक बिजली की पर्याप्त आपूर्ति नहीं होगी तब तक देश का विकास संभव नहीं है। मंत्री जी एक आंशिक संशोधन ले आए हैं। यह बात सर्वमान्य है कि बिजली जब उपभोक्ताओं तक पहुंचती है तो उसकी तीन स्टेजेज होती हैं। इसका उत्पादन होता है, पारेषण होता है और वितरण होता है। लेकिन, पारेषण, ट्रांसमिशन के लिए ही केवल विधेयक लाया गया है। मैं चाहता हूं, मेरी यह राय है कि तीनों के लिए इनको विधेयक लाना चाहिए था, उत्पादन के लिए भी पारेषण के लिए भी और वितरण के लिए भी। ठीक है कि पारेषण के लिए आप लाए हैं और मैं इस बात से सहमत हूं कि इससे लाभ होगा, लेकिन जब तक आप तीनों के लिए अलग-अलग विधेयक नहीं लायेंगे और तीनों के लिए अलग-अलग व्यवस्था नहीं की जाएगी तब तक सही मायनों में इस देश में आपको जितनी बिजली की आवश्यकता है उतनी बिजली का उत्पादन नहीं हो सकेगा। अगर उत्पादन अच्छा होगा और सही मायनों में उसका ट्रांसमिशन नहीं होगा, अगर ट्रांसमिशन भी हो जाएगा और सही मायनों में उसका डिस्ट्रिब्यूशन नहीं होगा। उसका देश को कोई लाभ नहीं होगा। माननीय उपसभाध्यक्ष, जहां बिजली की आवश्यकता है, जिस प्वाइंट पर और जिस काम के लिए जहां भी बिजली की आवश्यकता है, वहां तक वह सही मायनों में पहुंचे इसके लिए यह थोड़ा सा प्रयास है, अंशिक प्रयास है। मैं मानता हूं कि यह आंशिक प्रयास ठीक है लेकिन जहां बिजली पैदा होती है वहां प्रोडक्शन, ट्रांसमिशन और डिस्ट्रिब्यूशन तीनों एक साथ थे। इसलिए तीनों में किसी की जिम्मेदारी नहीं हो पाती थी। बिजली का उत्पादन करने वाली यूनिट कहती है कि हमने इतनी बिजली पैदा कर दी, भेजने वाला भेज नहीं पा रहा है। भेजने वाला कहता है कि हमने डिस्ट्रीब्यूशन में भेज दिया, उन्होंने इसका डिस्ट्रिब्यूशन नहीं किया।

इसलिए मैं जो मुख्य बात निवेदन करना चाहता था आपके माध्यम से सरकार से इस तरह की व्यवस्था करें और गम्भीरता से व्यवस्था करें, विचार करें कि बिजली का पूरा उत्पादन हो जितनी आवश्यकता है हमारे देश में और इसका सही ढंग से पारेषण, सही ढंग से डिस्ट्रीब्यूशन और जिस व्यक्ति को जिस काम के लिए इसकी आवश्यकता है, वहां तक सही मायने में पहुंचे और इसका सदुपयोग हो। मान्यवर, मंत्री जी इसको स्वीकार करेंगे कि बिजली की चोरी होती है। जितना उत्पादन देश में बिजली का हो रहा है, उसमें से चोरी हो रही है पारेषण में और डिस्ट्रीब्यूशन में। आज बड़े-बड़े उद्योग-धन्धे वाले भी चोरी कर रहे हैं, दूसरे लोग भी चोरी कर रहे हैं। गांव की स्थिति आज सब से ज्यादा खराब है। हर सरकार जो आती है, वायदा करती है कि हम 20 घंटे बिजली देंगे, छोटे उद्योगों के लिए बिजली देंगे लेकिन पूरी बिजली मिल नहीं पाती है। बिजली दो-घंटे, चार घंटे ही मिलती है। उत्तर प्रदेश की स्थिति तो सब से ज्यादा खराब है। इस समय बिजली के इंजीनियर हड़ताल पर चले गए हैं। ... (व्यवधान)

श्री खान गुफ़रान ज़ाहिदी : हड़ताल खत्म हो गई है।

श्री ईश दत्त यादव : कल उनकी हड़ताल खत्म हो गई लेकिन जब हड़ताल पर नहीं रहते हैं तब भी जो बिजली पैदा हो रही है, कहां चली जा रही है, हम समझ नहीं पाते हैं। जितना राजस्व सरकार को मिलना चाहिए, उतना नहीं मिल पाता है। आज देश के जो इलेक्ट्रीसिटी बोर्ड है और खास कर के जो उत्तर प्रदेश का इलेक्ट्रीसिटी बोर्ड है, हमको डिफेक्ट सा लगता है। जितनी बिजली इन्होंने सप्लाई की डिस्ट्रीब्यूशन उसका आधा हुआ, बिजली रास्ते में चोरी हो गई और सरकार उनको पकड़ने में असमर्थ है। बड़े-बड़े उद्योग-धंधे करने वाले लोग चोरी कर रहे हैं। दूसरे लोग चोरी कर रहे हैं और जो अधिकारी लोग हैं यह देख रहे हैं कि कहां चोरी हो रही है बिजली की, लेकिन पकड़ने में असमर्थ हैं। कोई बड़ा आदमी चोरी कर रहा है, कहीं कोई राजनीतिक दबाव से प्रभावित है, कहीं दूसरा कारण है। सही मायने में बिजली की आपूर्ति नहीं हो पा रही है। अगर तीनों को अलग-अलग कर दिया जाएगा उत्पादन, पारेषण और वितरण को अगर तीनों को अलग-अलग कर दिया जाएगा तो सब की अलग-अलग जिम्मेदारी हो जाएगी। श्री दीपांकर मुखर्जी बोल रहे थे, मैं। उनका विद्रतापूर्ण भाषण सुन रहा था लेकिन मैं उनके बिचारों से सहमत नहीं हूं। इनका अपना दृष्टिकोण है, इनकी पार्टी का दृष्टिकोण है, दूसरे देशों का अनुकरण करना चाहते हैं। हमारे देश की परिस्थिति अलग है। हमारे देश में प्राकृतिक सम्पदा बहुत है, यहां सब कुछ बहुत है, बिजली का उत्पादन भी बहुत हो सकता है लेकिन माननीय उपसभाध्यक्ष जी, आज़ादी के बाद यहां कमी है तो सरकार की इच्छा शक्ति की कमी है। पिछले 8-10 सालों से और इच्छा शक्ति की कमी हो गई है। मंत्री जी भी सोचते रहते

होंगे कि जब तक यह कानून बनेगा उस दिन तक हम रहेंगे या नहीं रहेंगे। पिछले 8-10 सालों से इस देश में ऐसी स्थिति आ गई है कि सरकार जो सोचती है, वह कर नहीं पा रही है। इच्छा शक्ति का अभाव हो गया है सरकार में और दूसरा ईमानदारी नहीं रह गई है। जो जिम्मेदारी ली है उत्पादन करने की, वितरण करने की और पारेषण करने की, यह लोग अपने उत्तरदायित्व का ईमानदारी से निर्वाह नहीं कर पा रहे हैं। आज सरकार को इन सब बातों पर गम्भीरता से सोचना पड़ेगा। हम स्वर्ण जयन्ती मना रहे हैं, हमारी आजादी को 50 साल हो गये हैं लेकिन सब गांव अंधेरे में डूबे हुए हैं। मंत्री जी आंकड़े बतलाएंगे कि देश में कितने गांवों का अब तक विद्युतीकरण किया गया। लाइनें खींच दी गई विद्युतीकरण के नाम पर, खम्भे गाड़ दिये गए हैं, लेकिन गांव में बिजली नहीं है। (व्यवधान)

मौलाना ओबेदुल्ला खान आज़मी: दिल्ली में भी बिजली नहीं है।

श्री ईश दत्त यादव: महोदय, ठीक कह रहे हैं ओबैदुल्ला खान साहब कि दिल्ली में भी बिजली की सप्लाई नहीं हो रही है। मैं एक रिपोर्ट देख रहा था।

6.00 P.M.

दिल्ली में सबसे ज्यादा बिजली की चोरी हो रही है। यह माननीय ऊर्जा मंत्री की भी जानकारी में होगा। लेकिन माननीय ऊर्जा मं. जी के लिए भी दुष्कर होगा। यहां चोरी कोई साधारण आदमी नहीं कर रहा है। झुग्गी झोपडी में रहने वाला आदमी चोरी नहीं कर रहा है ....(समय की घंटी)

उपसभाध्यक्ष (श्री मोहम्मद सलीम): ईश दत्त यादव जी, आपके लिए 7 मिनट थे और आप 7 मिनट बोल चुके हैं। 6 बजे हमारी लिस्ट आफ बिजनेस के मुताबिक हाफ एन आवर शुरू करना है। आप एकाध मिनट में खत्म कर दें।

श्री ईश दत्त यादव: ठीक है, उपसभाध्यक्ष जी, आपका जो आदेश है उसका मैं पालन करूंगा।

उपसभाध्यक्ष श्री मोहम्मद सलीम: आपका समय तो हो चुका है। आप आधे-एक मिनट में खत्म कर दें।

श्री ईश दत्त यादव: ठीक है, उपसभाध्यक्ष जी, मैं आपके आदेश का पालन करूंगा।

उपसभाध्यक्ष श्री मोहम्मद सलीम: वरना आप बाद में बोल लें हाफ एन आवर डिसकशन के बाद, अगर बहुत कुछ बोलना है।

श्री रामदास अग्रवाल: दिल्ली के अंधेरे पर बोल दीजिए।

श्री ईश दत्त यादव: माननीय उपसभाध्यक्ष जी, आप सब लोगों की जो राय है वह मेरी भी राय है। संजय निरूपम जी और सब लोग कह रहे हैं कि इस देश के अंदर बिजली की बहुत बड़ी दुर्व्यवस्था है। सभी लोगों की यही राय है। माननीय मंत्री जी आप विधेयक ले आए हैं मैं आपसे पुन: निवेदन करूंगा-हमारी कोई ऐसी मंशा है कि आपकी सरकार चले, आप रहें और अगर आप रह जाते हैं तो मेरे इन सुझावों पर आप गंभीरता से विचार करें।

इस बिल को आप वापस ले लीजिए। उत्पादन, पारेषण और वितरण, इन तीनों के बारे में एक कंप्रीहेंसिव बिल आप लाइए। अगर तीनों के बारे में एक कम्प्रीहेंसिव बिल आप ले आएंगे तो सही मानों में देश में विद्युत की समस्या हल हो सकती है और हमारा देश आगे बढ़ सकता है। माननीय उपसभाध्यक्ष जी, आपने समय दिया, बहुत-बहुत धन्यवाद।

HALF-AN-HOUR DISCUSSION

Points arising out of answer to starred Question No. 281 Given on 6th July, 1998 Regarding Piling up of Steel at S.A.I.L.

श्री रामदास अग्रवाल (राजस्थान): उपसभाध्यक्ष महोदय, तारांकित प्रश्न संख्या 281 जब यहां सदन में प्रस्तुत हुआ था तो सभापति महोदय ने आधे घंटे के डिसकशन के लिए अनुमति दी थी। मैं उसी संदर्भ में कुछ बातें आपके सामने रखना चाहता हूं। उपसभाध्यक्ष जी, इस समय स्टील इंडस्ट्री पर काले बादल मंडराए हुए हैं। पिछले कुछ वर्षों से डिमांड में बहुत कमी होने के कारण